

Article - Business Regulation

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§8–620.

(a) (1) The Commission may impose on a person who violates this title, including § 8–607(4) of this subtitle, a civil penalty not exceeding \$5,000 for each violation, whether or not the person is licensed under this title.

(2) The Commission shall pay any penalty collected under this subsection into the General Fund of the State.

(b) In setting the amount of a civil penalty, the Commission shall consider:

(1) the seriousness of the violation;

(2) the good faith of the violator;

(3) any previous violations;

(4) the harmful effect of the violation on the complainant, the public, and the business of home improvement;

(5) the assets of the violator; and

(6) any other relevant factors.

(c) (1) The Commission may establish by regulation a schedule of violations and fines to be used for civil citations issued under this title.

(2) A citation issued by the Commission shall include:

(i) the name and address of the person charged;

(ii) the nature of the violation;

(iii) the location and time of the violation;

(iv) the amount of the fine;

(v) the manner, location, and time in which the fine may be paid;

(vi) the cited person's right to a hearing for the violation; and

(vii) a warning that failure to pay the fine or to contest liability in a timely manner in accordance with the citation:

1. is an admission of liability; and

2. may result in an entry of a default judgment that may include the fine, court costs, and administrative expenses.

(3) The Commission shall retain a copy of the citation.

(4) All money collected under this subsection shall be paid in accordance with § 8–403(b) of this title.

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